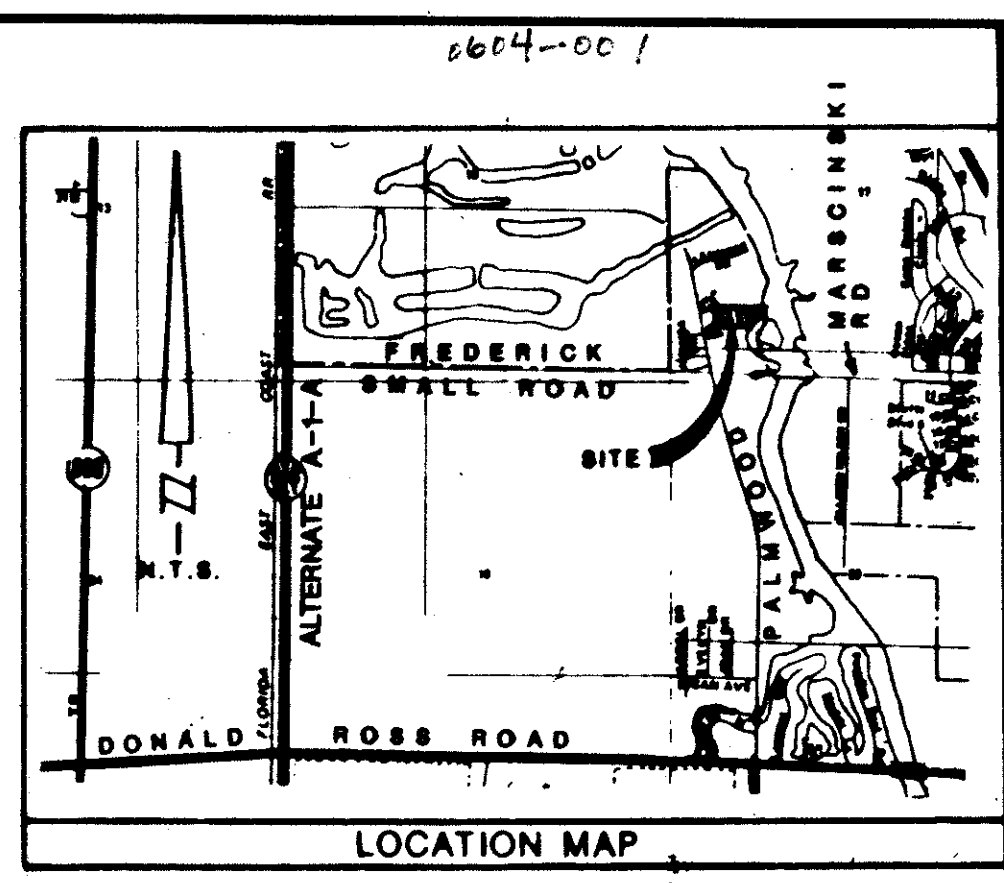


**Kimley-Horn**  
 CIVIL ENGINEERS & SURVEYORS  
 4431 EMBARCADERO DRIVE, WEST PALM BEACH, FL 33407  
 11 EAST OSCEOLA STREET, STUART, FLORIDA 34994

# COMMODORE'S POCKET

A PLANNED RESIDENTIAL DEVELOPMENT (P.R.D.)  
 LYING IN SECTION 17, TOWNSHIP 41 SOUTH, RANGE 43 EAST  
 PALM BEACH COUNTY, FLORIDA



**72**

COUNTY OF PALM BEACH  
 STATE OF FLORIDA  
 This Plat was filed for record at 3:39 P.M.  
 on the 29 day of July  
 1992 and duly recorded in Plat Book No.  
 69 on page 72-73  
 Clerk of Circuit Court  
 Barbara A. Watt D.C.

**LEGAL DESCRIPTION**  
**PARCEL 1**

A PARCEL OF LAND IN SECTION 17, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BOUNDED AS FOLLOWS:

ON THE WEST BY THE EASTERLY LINE OF THE OF PROPERTY DESCRIBED BELOW;

ON THE EAST BY THE CENTERLINE OF THE INTRACOASTAL WATERWAY, AS SHOWN IN PLAT BOOK 17, PAGE 5, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

ON THE NORTH BY AN EASTERLY EXTENSION OF THE NORTHERLY LINE OF SAID PROPERTY DESCRIBED BELOW AND

ON THE SOUTH BY AN EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID PROPERTY DESCRIBED BELOW:

STARTING AT A POINT ON THE SOUTH LINE OF SECTION 17, TOWNSHIP 41 SOUTH, RANGE 43 EAST, AND THE WESTERLY RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY AS SHOWN ON MAP RECORDED IN PLAT BOOK 17, PAGE 5, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF PALM BEACH COUNTY, FLORIDA, RUN THENCE NORTHWESTERLY ALONG AFORESAID RIGHT-OF-WAY LINE A DISTANCE OF 1630 FEET TO THE POINT OF BEGINNING, SAID POINT BEING IN THE NORTH LINE OF LAND PREVIOUSLY SOLD TO HAROLD B. BENNINGTON AND ELIZABETH BENNINGTON, HIS WIFE, BY DEED RECORDED IN DEED BOOK 1050, PAGE 324, IN THE OFFICE OF SAID CLERK, FROM THIS POINT OF BEGINNING AND WITH A DEFLECTION ANGLE OF 79° 53' 52" TO THE LEFT OR WEST, RUN WESTERLY ALONG THE NORTH LINE OF SAID LAND CONVEYED TO HAROLD B. BENNINGTON AND WIFE TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD (PALMWOOD ROAD), SAID RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED IN THE RIGHT-OF-WAY DEED TO PALM BEACH COUNTY DATED OCTOBER 7, 1953, RECORDED IN DEED BOOK 1036, PAGE 97, IN THE OFFICE OF SAID CLERK; RUN THENCE NORTHWESTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD A DISTANCE OF 275 FEET TO A POINT; RUN THENCE NORTHEASTERLY TO A POINT OF INTERSECTION WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID INTRACOASTAL WATERWAY, SAID POINT BEING 300 FEET NORTHWESTERLY, MEASURED ALONG SAID RIGHT-OF-WAY LINE, FROM THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, SAID TRACT BEING IN SECTION 17, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

**PARCEL 2**

STARTING AT A POINT ON THE SOUTH LINE OF SECTION 17, TOWNSHIP 41 SOUTH, RANGE 43 EAST, AND THE WESTERLY RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY AS SHOWN ON MAP RECORDED IN PLAT BOOK 17, PAGE 5, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF PALM BEACH COUNTY, FLORIDA; THENCE RUN NORTHWESTERLY ALONG AFORESAID RIGHT-OF-WAY LINE A DISTANCE OF SIXTEEN HUNDRED THIRTY (1630) FEET TO THE POINT OF BEGINNING, SAID POINT BEING IN THE NORTH LINE OF LAND PREVIOUSLY SOLD BY THE GRANTOR'S HEREIN TO HAROLD B. BENNINGTON AND ELIZABETH BENNINGTON, HIS WIFE, BY DEED RECORDED IN DEED BOOK 1050, PAGE 324, IN THE OFFICE OF SAID CLERK; FROM THIS POINT OF BEGINNING AND WITH A DEFLECTION ANGLE OF 79° 53' 52" TO THE LEFT OR WEST, RUN WESTERLY ALONG THE NORTH LINE OF SAID LAND CONVEYED TO HAROLD B. BENNINGTON AND WIFE TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD (PALMWOOD ROAD), SAID RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED IN RIGHT-OF-WAY DEED TO PALM BEACH COUNTY DATED OCTOBER 7, 1953, RECORDED IN DEED BOOK 1036, PAGE 97, IN THE OFFICE OF SAID CLERK; RUN THENCE NORTHWESTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD A DISTANCE OF TWO HUNDRED SEVENTY-FIVE (275) FEET TO A POINT; RUN THENCE NORTHEASTERLY TO A POINT OF INTERSECTION WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID INTRACOASTAL WATERWAY, SAID POINT BEING THREE HUNDRED (300) FEET NORTHWESTERLY, MEASURED ALONG SAID RIGHT-OF-WAY LINE, FROM THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, SAID TRACT BEING IN SECTION 17, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

**ALL OF THE ABOVE ALSO DESCRIBED AS FOLLOWS:**

A PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE S88°18'42"E, ALONG THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 554.13 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17, AT PAGE 5 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY; THENCE N08°24'21"W ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1630.00 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED IN DEED BOOK 1050, AT PAGE 324 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY AND THE POINT OF BEGINNING; THENCE N88°18'13"W, ALONG SAID NORTH LINE, A DISTANCE OF 478.12 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF PALMWOOD ROAD AS RECORDED IN DEED BOOK 1036, AT PAGE 97 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY, SAID POINT BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1950.08 FEET AND A CHORD BEARING OF N18°26'52"W, THENCE NORTHWESTERLY, ALONG THIS ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 8°04'47", A DISTANCE OF 275.00 FEET; THENCE N89°09'00"E, A DISTANCE OF 483.34 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY, 300.00 FEET NORTHWESTERLY, AS MEASURED ALONG SAID WESTERLY RIGHT OF WAY LINE, FROM THE POINT OF BEGINNING; THENCE CONTINUE N89°09'00"E, A DISTANCE OF 292.02 FEET TO THE CENTERLINE OF SAID INTRACOASTAL WATERWAY; THENCE S08°24'21"E, ALONG SAID CENTERLINE, A DISTANCE OF 297.01 FEET; THENCE N88°18'13"W, A DISTANCE OF 233.94 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.768 ACRES, MORE OR LESS.

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, DENNIS P. CLEARY and MARY V. CLEARY, the owners of land shown hereon being in Section 17, Township 41 South, Range 43 East, has caused the same to be surveyed and platted as shown hereon as COMMODORE'S POCKET, and being more particularly described hereon, and do hereby dedicate as follows:

- Mary's Way as shown on the Plat, is hereby dedicated to Commodore's Pocket Homeowners Association, Inc., a Florida corporation not for profit, its successors and assigns, for the construction and maintenance of private roadways, without recourse to Palm Beach County, Florida.
- All Tract "A" as shown on the Plat, is hereby dedicated to Commodore's Pocket Homeowners Association, Inc., a Florida corporation not for profit, its successors and assigns, as common areas, for landscape and drainage purposes, without recourse to Palm Beach County, Florida.
- All utility easements shown on this Plat may be used for utility purposes by any utility company, including cable T.V., in compliance with such ordinances and regulations as may be adopted from time to time by the Board of County Commissioners of Palm Beach County, Florida.
- Easements for construction, operation and use as public utilities are hereby reserved or granted over Mary's Way shown on the Plat and all rights of way to any utility company, in compliance with such ordinances and regulations as may be adopted from time to time by the Board of County Commissioners of Palm Beach County, Florida and as approved by Commodore's Pocket Homeowners Association, Inc., a Florida corporation not for profit, its successors and assigns.
- The drainage easements shown on this Plat are hereby dedicated to Commodore's Pocket Homeowners Association, Inc., a Florida corporation not for profit, its successors and assigns, and shall be the maintenance obligation of said Association, without recourse to Palm Beach County, Florida.
- Palm Beach County shall have the right but not the obligation to maintain any portion of the privately dedicated drainage system that serves to drain surface waters from any public lands.
- The five (5) foot limited access easement as shown on this plat is hereby dedicated to the Board of County Commissioners of Palm Beach County, Florida for control and jurisdiction over access rights.

This Plat is filed by the Owners, DENNIS P. CLEARY and MARY V. CLEARY, pursuant to Palm Beach County approval, and the Plat Dedication on this Plat are subject to the conditions set forth therein. The Owners have caused the same to be surveyed and platted as shown hereon.

IN WITNESS WHEREOF, We, DENNIS P. CLEARY and MARY V. CLEARY, do hereunto set our hands and seals, this 10th day of June 1992.

*Dennis P. Cleary*  
 DENNIS P. CLEARY

*Mary V. Cleary*  
 MARY V. CLEARY

**MORTGAGEE'S CONSENT**

STATE OF FLORIDA  
 COUNTY OF PALM BEACH

The undersigned hereby certifies that it is the holder of a mortgage upon part of the property described hereon and does hereby join in and consent to the dedication of the land described in said dedication by the owner thereof and agrees that its mortgage which is recorded in Official Record Book 6076 at page 1621 in the Public Records of Palm Beach County, Florida, shall be subordinated to the dedication shown herein.

IN WITNESS WHEREOF, the said corporation has caused these presents to be signed by its Sr. Vice President, BERTRAM R. COPELAND, and attested to by its Sr. Vice President WILLIAM P. GARDNER, and its Corporate seal to be affixed hereon by and with the authority of its Board of Directors this 10th day of June 1992.

JUPITER TEQUESTA NATIONAL BANK

By: *Bertram R. Copeland*  
 BERTRAM R. COPELAND  
 Sr. Vice President

Attest:  
 By: *William P. Gardner*  
 WILLIAM P. GARDNER  
 Senior Vice President

**ACKNOWLEDGMENT**

STATE OF FLORIDA  
 COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 10th day of June 1992, by BERTRAM R. COPELAND and WILLIAM P. GARDNER, who executed the foregoing instrument both Sr. Vice Presidents of JUPITER TEQUESTA NATIONAL BANK, and who are personally known to me.

Notary Public  
*Michael L. Phillips*  
 Signature of Notary  
 Michael L. Phillips  
 Print Name of Notary  
 State of Florida at Large  
 My Commission Expires: [Seal]  
 1-13-96

**TITLE CERTIFICATION**

I, JAMES M. STEWART, a duly licensed attorney in the State of Florida, do hereby certify that I have examined the title to the property described hereon; that as of May 19, 1992, I find record title to the property is vested in DENNIS P. CLEARY and MARY V. CLEARY, his wife, and that the current real estate taxes and real estate taxes for all prior years have been paid, and that there are no encumbrances of record, except as set forth in the Mortgagee's Consent shown hereon, and that the property is found to contain deed reservations which are not applicable and do not affect the subdivision of the property.

By: *James M. Stewart*  
 JAMES M. STEWART, Attorney at Law  
 licensed in the State of Florida

**SITE DATA**

EXISTING ZONING	RS/PRD
SITE AREA	4.77 AC.
DWELLING UNITS	5
APPROVED DENSITY	1.26 D.U./AC.
SITE PLAN DENSITY	0.95 D.U./AC.
PARKING SPACES	2/D.U.
MAXIMUM BUILDING HEIGHT	35 FEET
ZONING PETITION #	89-73

**APPROVAL - PALM BEACH COUNTY, FLORIDA**

BOARD OF COUNTY COMMISSIONERS  
 OF PALM BEACH COUNTY, FLORIDA

This Plat is hereby approved for record this 28 day of July 1992.

By: *Karen T. Marcus*  
 KAREN T. MARCUS, Chair

Attest:  
 MILTON T. BAUER, Clerk of the Circuit Court

By: *Milton T. Bauer*  
 Deputy Clerk

COUNTY ENGINEER

This Plat is hereby approved for record this 28 day of July 1992.

By: *George T. Webb*  
 GEORGE T. WEBB, County Engineer

**SURVEYORS CERTIFICATE**

This is to certify that the Plat shown hereon is a true and correct representation of a survey made under my responsible direction and supervision and that said survey is accurate to the best of my knowledge and belief and that (P.R.M.'s) Permanent Reference Monuments have been placed as required by law in compliance with Chapter 177 Florida Statutes, and (P.C.P.'s) Permanent Control Points will be set under the guarantees posted with Palm Beach County, for the required improvements and further that the survey data complies with all the requirements of Chapter 177 Florida Statutes, as amended, and the ordinances of Palm Beach County, Florida.

Date of Survey: 6-12-92

By: *Wilbur F. Divine V.*  
 WILBUR F. DIVINE V, Registered Land Surveyor  
 Florida Certificate No. 4190

**SURVEYORS NOTES:**

- Easements:
  - No buildings or any kind of construction shall be placed in utility or drainage easements.
  - No structures, trees or shrubs shall be placed on drainage easements or utility easements provided for water and sewer use.
  - Approval of landscaping on utility easements other than water and sewer shall be only with the approval of all utilities occupying same.
  - Where a drainage easement and any other type of easement cross, any and all uses for drainage purposes shall take precedence.
- Bearings shown hereon are based on a bearing of S 88° 18' 42" E, for the south line of the southwest one-quarter of Section 17, Township 41 South, Range 43 East.
- Where easements of different types cross, drainage easement shall have first priority, utility easements shall have second priority, access easement shall have third priority and all other easements shall be subordinate to these with their priorities being determined by these rights granted.

TAX = 40

SUBDIVISION & COMMODORE'S POCKET  
 BOOK 69 PAGE 72  
 FLOOD ZONE A-6  
 ZONING RS  
 COND # 11  
 SE 89-73  
 FILE NAME 89073  
 FILE # 1111

PET. 89-73  
 RS/PRD  
 COLLECT

0604-001

COMMODORE'S POCKET

09/72